



Fair Political Practices Commission

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[www.fppc.ca.gov](http://www.fppc.ca.gov)

## NEWS ADVISORY

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### **FPPC considers recall election guidelines at Aug. 11 meeting**

*67 major-donor violations also considered under streamlined program*

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A proposal to update the Fair Political Practices Commission fact sheet on rules governing recall elections will be discussed by the commission at its monthly meeting on Monday, August 11.

**Monday's meeting begins at 10 a.m. in the FPPC's eighth-floor hearing room at 428 J St. (Fifth and J Streets) in Sacramento. The 11-page agenda is available on the agency website at [www.fppc.ca.gov](http://www.fppc.ca.gov) – go to "agendas" on the home page, and click on "current agenda."**

The fact sheet contains new guidelines following adoption at the July 10 meeting of a new regulation, 18531.5. The regulation addresses which committees in a recall election are subject to the Political Reform Act's contribution and expenditure limits. The fact sheet does not revisit earlier policy decisions made by the commission regarding the applicability of contribution limits to replacement candidates. It does include questions and answers that stem from the adoption of this regulation and from certain sections of the Political Reform Act.

A staff memorandum outlining the proposed changes in the fact sheet will be discussed as **agenda item #17**. Prepared by Commission Counsel C. Scott Tocher and General Counsel Luisa Menchaca, the memorandum can be obtained from the FPPC website by clicking on the link in that agenda item. (**Note to Editors:** It is difficult to specify a time when agenda items will be considered, but it is likely the "legal matters" on the agenda – items 17-19 -- will be discussed in the morning portion of the meeting).

In other business at Monday's meeting, the commission will consider 67 Enforcement Division actions under a streamlined program begun in 2001 to more rapidly process violations of the Political Reform Act related to the timely filing of major-donor reports. All of the major-donor violations before the commission Aug. 11 occurred in 2002. The agency also has similar expedited programs for violations involving Statements of Economic Interest and late-contribution reports.

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Proposed stipulations, orders and exhibits in enforcement actions can be obtained from the website by clicking on the link in that agenda item

The enforcement calendar on the Aug. 11 agenda will be considered on “consent,” which means enforcement actions will be voted on as a package without discussion of individual items. If any member of the commission requests further discussion of a particular item, that item will be considered later in the meeting – following discussion of the recall fact sheet and other legal matters on the agenda.

Letters responding to items on the agenda after it was posted on the website 10 days prior to the meeting, can be found at the top of the agenda on the web.

Also on the Monday agenda:

- Proposed regulation 18709, which would codify the “segmentation process” derived from an earlier commission opinion. By applying this process, a public official with a conflict of interest in a particular decision can segregate that decision from other related decisions and participate in the other related decisions. This proposed regulation will be discussed as **agenda item #18**. Prepared by Commission Counsel Natalie Bocanegra, Assistant General Counsel John W. Wallace, and General Counsel Luisa Menchaca, the staff memorandum can be found on the FPPC website.
- A proposed regulation which would determine when campaign funds become surplus after a candidate withdraws from a race or is defeated. It also proposes that deceased candidates be treated like other candidates under the statute and provides a window of time following the candidate’s death before the funds become surplus. The adoption of proposed regulation 18951 will be discussed as **agenda item #19**. Prepared by Commission Counsel C. Scott Tocher and General Counsel Luisa Menchaca, the memorandum can be found on the FPPC website.

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